

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Claims 20-27 remain in the application. Claims 1-19 and 28 have been withdrawn. Claims 20, 23 and 26 have been amended herein. The amendments do not add new matter.

Claims 20-22 and 24-27 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. 1,966,059 to Chiera (hereinafter Chiera). For the following reasons, the rejection is traversed.

Chiera is directed to attaining a white light output from artificial lighting by passing the artificial light through a screen apparatus having adjacent light and dark blue zones. The screen apparatus is disclosed in several embodiments.

Regarding independent claim 20, the claim requires an optical element with:

- at least one surface of the optical element comprising a plurality of independent sections,
- at least one of diffractive type or refractive type micro-optical structures on the surface,
- and
- at least two of the independent sections of the surface having micro-optical structures that are *different from one another*.

The Office action states that the independent sections of the claim are

described by the peaks or valleys created by reference numerals 8 and 9 in Fig. 5 of Chiera. However, neither of the peaks or valleys illustrated in Fig. 5 include *structures* on their surfaces as required. Rather the peaks and valleys are flat surfaced. The Office action states that valleys and peaks are different from one another, and can be considered different sections, but still neither of these include a structured surface and thus do not disclose different structures on surfaces as required.

Claim 21 requires structures designed according to the position, size and shape as well as the output light distribution from one or more electroluminescent elements. In Chiera, however as stated above, the required structures are not disclosed. Further, the only factor influencing the dimensioning and coloring of the light zone in the screen apparatus of Chiera is the desired shade of blue color.

Further, nowhere does Chiera disclose that the valleys and peaks of the screens disclosed are designed according to the position, size and shape and output light distribution of the electroluminescent elements. Chiera may show embodiments of the screens as a whole being adapted to the geometry of the light source, but this does not disclose anything about the design of structures on the valleys and peaks.

Regarding claim 22, different sections comprising different structures in a single partially transparent layer are required. The peaks and valleys of Chiera cannot represent both the claimed sections and claimed structures.

Claim 24 depends directly from claim 20 and is believed to be allowable at least for the reasons stated above.

Independent claim 25 again requires an optical element with a plurality of independent sections wherein at least two of the sections have micro-optical

structures added to their surfaces that are different from one another. As stated above, Chiera does not teach surfaces on the peaks and valleys where structures have been added, but rather only flat surfaces.

Claims 26 and 27 depend directly from claim 25 and are believed to be allowable at least for the reasons stated above.

Reconsideration and withdrawal of the rejection of claims 20-22 and 24-27 under 35 U.S.C. §102(b) as being anticipated by Chiera is respectfully requested.

Claims 20-27 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. 5,698,941 to Jaskie et al. (hereinafter Jaskie). For the following reasons, the rejection is traversed.

Jaskie is directed to an optical correction layer for a light emitting apparatus having gaps in brightness at the light-emitting surface. The optical correction layer includes a plurality of optical correction regions centered over the gaps, and a plurality of optically transparent regions which overlay the remainder of the light-emitting surface. The optical correction regions include appropriately formed grooves which collect and redirect light adjacent the gap.

Regarding claim 20, at least two sections having micro-optical structures that are different from one another are required. Jaskie does not disclose this feature. The Office action refers to regions 902 and 904 in Jaskie as representing the claimed two sections. However, in Jaskie, one of these regions has grooves and one is flat. The flat region does not comprise a micro-optical structure, as claimed, and thus the disclosure of Jaskie does not anticipate this feature of the claim.

Regarding claim 25, again two sections having micro-optical structures that are different from one another are required. Jaskie does not disclose this feature.

It is applicants belief that although the original language of claim 20 (and similarly claim 25) was clear, the present amendment of claim 20 further clarifies that a surface of the optical element includes at least two different micro-optical structures on its surface and that these structures inherently do not include a simple flat, non-structured surface.

Claims 21-24 depend directly from claim 20 and claims 26-27 depend directly from claim 25 and are believed to be allowable at least for the reasons stated above.

Reconsideration and withdrawal of the rejection of claims 20-27 under 35 U.S.C. §102(b) as being anticipated by Jaskie is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. FRG-16076.

Respectfully submitted,

RANKIN, HILL & CLARK LLP

By /James A. Balazs/
James A. Balazs, Reg. No. 47401

38210 Glenn Avenue
Willoughby, Ohio 44094-7808
(216) 566-9700